



THE CITY OF NEW YORK
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July 21, 2017

VIA ECF

Honorable Cheryl L. Pollak
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Hector Cordero v. City of New York, et. al.
15 CV 3436 (WJB) (CLP)

Your Honor:

I am a Senior Counsel in the Special Federal Litigation Division of the New York City Law Department, and am assigned to represent defendants City of New York, Lieutenant Moran and Officers Hugasian, Palminteri, Narea, Essig, Reyes, Rubin and Artale (hereinafter “Defendants”) in the above-referenced action. Defendants submit this letter respectfully requesting an enlargement of the time, from July 21, 2017, to and including September 4, 2017, to file a motion for summary judgment.

On May 19, 2017, this Court ordered Defendants to file their motion for summary judgment by July 21, 2017. Since that order was entered, the parties met and conferred on issues related to the motion, on various occasions, and on June 16, 2017, Plaintiff filed a motion requesting that the case be transferred to the Honorable Jack B. Weinstein, and the scheduling of a conference before His Honor, “to hear plaintiff’s application that defendants’ contemplated motions be denied.” On June 27, 2017, the Court denied Plaintiff’s motion.

Following the June 27th order, the parties continued to confer on this issue. This week, the parties again conferred and agreed to attempt to further discuss Plaintiff's claims next week, the week of July 24, 2017, in an attempt to avoid the need for motion practice. Should the parties be unable to resolve these issues, the Defendants will draft a motion for summary judgment, concerning the issues that are unresolved between the parties.

Accordingly, Defendants respectfully request an enlargement of time to file a motion for summary judgment, from July 21, 2017, to and including September 4, 2017. Plaintiff's Counsel, Gabriel Harvis, consents to a seven-day extension for the Defendants to file the motion, to allow the parties to attempt to reach a resolution concerning this issue. Plaintiff's Counsel does not however, consent to an additional adjournment exceeding July 28, 2017, to allow the Defendants time to file a motion, should the parties fail to reach a resolution.

Defendants apologize for the lateness of this request, and thank the Court for its consideration herein.

Respectfully submitted,

/s/

AMATULLAH K. BOOTH
Senior Counsel
Special Federal Litigation Div.

Encl.

cc: (via ECF)
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Gabriel Harvis, Esq.
Counsel for Plaintiff